

PETER D. KEISLER  
Assistant Attorney General  
SCOTT N. SCHOOLS  
United States Attorney  
ELIZABETH J. SHAPIRO  
Assistant Director, Federal Programs Branch  
ANDREW I. WARDEN (IN Bar No. 23840-49)  
Attorney, U.S. Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Ave., N.W., Room 6120  
Washington, D.C. 20530  
Telephone: (202) 616-5084  
Facsimile: (202) 616-8460  
Andrew.Warden@usdoj.gov

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ELECTRONIC FRONTIER FOUNDATION,

v.

OFFICE OF THE DIRECTOR OF NATIONAL  
INTELLIGENCE,

Defendant.

Civil Action No. 3:07-5278 EMC

**DECLINATION TO PROCEED  
BEFORE A MAGISTRATE  
JUDGE AND REQUEST FOR  
REASSIGNMENT TO A UNITED  
STATES DISTRICT JUDGE**

Pursuant to 28 U.S.C. § 636(c) and Civil L.R. 73-1, Defendant Office of the Director of National Intelligence hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition. Defendant hereby requests the reassignment of this case to a United States District Judge.

DATED: October 30, 2007

Respectfully submitted,

PETER D. KEISLER  
Assistant Attorney General

1 SCOTT N. SCHOOLS  
2 United States Attorney

3 ELIZABETH J. SHAPIRO  
4 Assistant Director, Federal Programs Branch

5 /s/ Andrew I. Warden

6 ANDREW I. WARDEN (IN Bar No. 23840-49)  
7 Attorney, U.S. Department of Justice  
8 Civil Division, Federal Programs Branch  
9 20 Massachusetts Ave., N.W., Room 6120  
10 Washington, D.C. 20001  
11 Telephone: (202) 616-5084  
12 Facsimile: (202) 616-8460  
13 Andrew.Warden@usdoj.gov  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28